

DISTRICT OF NEBRASKA	
AT	M
JAN 30 1989	
William N. Olson, Clerk	
By	Deputy

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD R. BLACKBRID,

Defendant.

CR 89-0-10

O R D E R

**JUDGE CAMBRIDGE**

Upon arraignment of defendant this date and the entry of plea(s) of not guilty,

IT IS ORDERED:

1. By the 10th day of February, 19 89, counsel shall confer and accomplish the automatic discovery provided for in Fed. R. Crim. P. 16;

2. If pretrial motions are necessary, they shall be filed by the 20th day of February, 19 89, and that time limit will not be extended by the court except for good cause shown. In this connection, the United States Attorney shall disclose Brady v. Maryland (and its progeny) material as soon as practicable. Should the defendant nonetheless file a motion for such disclosure, such motion shall state with specificity the material sought;

3. If any pretrial motion or application is filed, a copy thereof and the supporting brief required by the provisions of local Rule of Practice 20 shall be simultaneously delivered to the undersigned United States Magistrate. Opposing briefs shall be submitted within five (5) working days thereafter;

4. If plea negotiations are to be instituted, they shall be concluded and advice thereof given to the trial judge not less than one week prior to trial date;

5. Trial of this case is set for 9:00 a.m. on the 20th day of March, 19 89, or as soon thereafter as the case is called;

6. Any original application, motion or voucher which is intended to be presented ex parte shall be delivered to the appropriate judicial officer (normally the Magistrate), not to the Clerk of the court, clearly captioned so as to disclose that the request is made ex parte, together with a supporting brief stating the basis for ex parte consideration;

7. Applications or vouchers pursuant to the Criminal Justice Act for authorization to hire third parties, to exceed the amounts set forth in the Criminal Justice Act, or for the expenditure of Criminal Justice Act funds shall be supported by

information necessary for the court to make a decision pursuant to the Criminal Justice Act, particularly:

- a. the name, address and telephone number of the person sought to be hired (if applicable);
- b. a specific statement of the amount sought and the method for computing said amount;
- c. a specific statement setting forth the factual and legal bases which support the request;

8. Any defense motion for continuance or extension of deadlines, whether of the trial date or otherwise, shall be supported by a written affidavit of the defendant stating that the defendant understands that the extra time will be excludable time for purposes of computing Speedy Trial Act deadlines, if such is the case; if defendant believes otherwise, the affidavit shall so state. Any motion for continuance shall set forth the reasons why the moving party believes that extra time should be allowed by the court;

9. The defendant shall be present at all pretrial arguments or hearings unless excused by the court, and if permission is sought to be absent, the defendant shall deliver to the court in advance an affidavit stating that the defendant knowingly, intelligently and voluntarily gives up the right to attend such argument or hearing.

DATED this 30th day of January, 1989.

BY THE COURT:

  
Richard G. Kopf  
United States Magistrate